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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

|  |                             |
|--|-----------------------------|
| FRANK BEZDANY,<br><br>Plaintiff,<br><br>vs.<br><br>HILL PHOENIX, INC.,<br><br>Defendant. | No.<br><br><b>COMPLAINT</b> |
|--|-----------------------------|

Plaintiff alleges as follows:

**FIRST CLAIM FOR RELIEF**  
**(FAIR LABOR STANDARDS ACT)**

1. Plaintiff is a resident of Maricopa County, Arizona.
2. Defendant is a foreign corporation authorized to do business in Arizona.
3. Jurisdiction is based upon 29 U.S.C. §216(b), the Fair Labor Standards Act.
4. Plaintiff worked for Defendant for approximately 10 years ending April 30, 2015.
5. Plaintiff was not paid overtime, at the rate of one and one-half his hourly rate of pay (minimum wage) for all hours worked in excess of 40 each week.

1           6.     Plaintiff worked approximately 1308.75 hours of overtime (and possibly  
2 more) (over 40 hours in one week) during his employment for which he was not paid at  
3 the rate of time and one-half.

4           7.     Defendant's conduct was willful.

5           8.     Plaintiff is entitled to overtime at the rate of time and one-half for all  
6 hours worked in excess of 40 for each week.

7           9.     Plaintiff is entitled to liquidated damages: double the amount due pursuant  
8 to 29 U.S.C. §216(b).

9           10.    Plaintiff is entitled to attorneys' fees and costs pursuant to 29 U.S.C.  
10 §216(b).

11           11.    Defendant also violated the record keeping requirements of the FLSA.

12           WHEREFORE Plaintiff requests judgment against Defendant for:

13           1.     Damages for overtime pay with interest;

14           2.     For liquidated damages;

15           3.     For reasonable attorneys fees, which are mandatory, and costs incurred  
16 herein; and,  
17

18           4.     Such other relief that this Court deems appropriate.

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20  
21                           **SECOND CLAIM FOR RELIEF**

22                           (Non-Payment of Wages)

23           1.     The preceding allegations of the Complaint are incorporated by reference  
24 herein.

25           2.     Plaintiff has not been paid all wages due him for the 1 year preceding the  
26 filing of this Complaint.

